

ORDINANCE NO. 1653

AN ORDINANCE TO AMEND TITLE II, UTILITIES AND SERVICES, CHAPTER 17, GARBAGE AND RUBBISH, OF THE CITY CODE BY DELETING EXISTING SECTION 2.16, RODENT PREVENTION, AND INSERTING IN LIEU THEREOF A NEW SECTION 2.16, RODENT CONTROL.

THE CITY OF SOUTHFIELD ORDAINS:

THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED BY DELETING SECTION 2.16, RODENT PREVENTION, OF CHAPTER 17, GARBAGE AND RUBBISH, OF TITLE II, UTILITES AND SERVICES, AND INSERTING IN LIEU THEREOF A NEW SECTION 2.16, RODENT CONTROL, WHICH SHALL READ AS FOLLOWS:

SECTION 1.

Sec. 2.16 Rodent Control

(1) Definitions

For the purpose of this Section, the following terms, phrases, words and derivations shall have the meanings given herein:

- (a) Accessory Structure. Any building which is accessory to the main building. Accessory Structure shall not include a plastic injection molded premanufactured shed (e.g. Rubber Maid, Suncast, etc.), when placed in a location permitted by Chapter 45 of the City Code, having a base dimension of 32 square feet or less and a total height of less than seven (7) feet, and which is easily movable and/or portable.
- (b) Face cord. A quantity of firewood, as defined herein, which when piled in an orderly manner has the dimension of not more than eight linear feet in length, not more than four linear feet in height, and does not exceed two linear feet in width, for a total of not more than 64 cubic feet.
- (c) Firewood. Any part of a tree which has been severed from the ground and cut into pieces for use in any indoor or outdoor wood burning device. This definition shall include such wood as may have been trimmed or milled into untreated lumber.
- (d) Occupant. The individual, partnership or corporation that has the use of or occupies any building, structure or vacant land.
- (e) Outside Storage. The stockpiling of firewood, as defined herein, in any place except a location completely enclosed within a building, structure, garage, barn or shed.

- (f) Owner. The individual, partnership or corporation that is listed on the last tax assessment records of the building, structure or vacant land.
- (g) Rodent. Any variety of species of rats, mice or other vermin.
- (h) Rodent Extermination. The elimination of rats from a building, structure or vacant land by any or all of the accepted measures, such as poisoning, fumigation, trapping, clubbing, etc., so that there is no evidence of rat infestation remaining.
- (i) Rodent Harborage. Any condition which provides shelter or protection for rodents, thus favoring their multiplication and continued existence in, under or outside of a building, structure or vacant land.
- (j) Yard, Front Yard, Rear Yard, and Side Yard. As used in this Section, these terms shall have the meanings as defined in Chapter 45 of the City Code.

(2) Conditions permitting rodent harborage prohibited.

It shall be unlawful for the owner or occupant to permit a condition of rodent harborage to exist in any building or structure or on any occupied or vacant land.

(3) Requirements for prevention of rodent harborage.

All owners and/or occupants in the City of Southfield, in order to prevent rodent harborage, shall comply with the following requirements:

- A. All garbage and debris shall be kept and stored in accordance with the requirements of Chapter 17 of the City Code.
- B. All lots, vacant or occupied, and all buildings and structures shall be kept free of all litter, garbage and debris at all times in accordance with Chapter 17 of the City Code.
- C. All accessory structures shall be erected on a concrete rat wall measuring a minimum of 24 inches deep and four inches thick and which is free from cracks or voids. A cement floor shall also be provided under the structure, measuring at least four inches thick. Upon receipt of a written request by the owner(s) of property, the City's Director of Building or his designate shall be permitted to issue, in writing, variances from this provision upon a finding in his or her reasonable discretion that practical difficulty exists complying with the terms of this subsection and a reasonable alternative exists meeting the spirit and intent of this subsection after reviewing the following:
 - (1) Size and character of the accessory structure.
 - (2) Dimensions of the proposed alternative rat wall barrier.
 - (3) Any other circumstances necessary to make a determination, such as unique soil conditions or other considerations.

D. No person shall feed wild birds or animals with other than commercially approved bird food, including seed, suet and other commercially available feed in an approved container for the distribution of such bird seed. Such container shall be elevated at least 48 inches above ground level.

E. Firewood regulations.

(1) The outside storage of firewood on any property is hereby prohibited except as provided hereinafter.

(2) Regulations for outside storage. In residentially zoned and multiple family residentially zoned districts, the outside storage of firewood shall be permitted provided it complies with all of the following regulations:

(a) Location on premises. No firewood shall be stored in a front yard or required side yard. Storage shall be a minimum of six inches away from the required set back line.

(b) Manner of storage.

[1] All firewood shall be stockpiled in a neat and orderly manner. Stockpiles shall be elevated eight inches above the ground and shall not exceed a total height of four feet, eight inches, as measured from the ground.

(c) Number of face cords and length of stockpiles. The total number of face cords permitted on the premises and the length of stockpiles shall be no greater than two face cords and no greater than 16 feet in length.

(4) Notice of Violations.

When any structure, building or vacant land is found to be in violation of this Section, the owner and/or occupant shall be notified in writing, by first-class mail, of such violation and the corrective measures that are to be taken to eliminate such violation and that said corrective measures shall be completed within a specified period of time, being no less than seven (7) calendar days. Violation of this Section shall constitute a municipal civil infraction and shall subject the violator to the penalties as set forth in Section 1.703 of the City Code.

(5) Failure to comply; Extermination by City; Costs.

Upon the failure of any owner and/or occupant to comply with the directives of any notice issued by the City pursuant to this Section, the City of Southfield is hereby authorized to go upon the property and take whatever measures are reasonably necessary to remove unlawful accumulations and other conditions of rodent harborage existing on the property, and/or otherwise undertake rodent extermination on the property.

The costs so incurred by the City shall constitute a lien against the property, and shall be charged to the occupant thereof, or to the owner of unoccupied premises, as the case may be. If such charges are not paid within sixty (60) days after the bill for such charges is sent to the owner and/or occupant, such charges may be collected in the manner provided in Section 1.13 of the City Code.

SECTION 2.

Should any section, subsection, clause, or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part thereof other than the part so declared to be invalid.

SECTION 3.

Rights and duties which have matured; penalties which have been incurred; proceedings which have begun and prosecutions for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance.

SECTION 4.

All ordinances, parts of ordinances, or codes in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 5.

This ordinance shall become effective upon passage and publication.

KENSON J. SIVER, Mayor

NANCY L.M. BANKS, City Clerk

Introduced: 12/14/2015

Enacted: 01/25/2016

Published: 02/28/2016